

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
SAN ANGELO DIVISION**

VIRGINIA ARTEAGA,	§	
	§	
Plaintiff,	§	
	§	
v.	§	No. 6:14-cv-65
	§	
SARMA COLLECTIONS, INC.,	§	
	§	
Defendant.	§	

PLAINTIFF’S COMPLAINT

VIRGINIA ARTEAGA (“Plaintiff”), through her attorneys, KROHN & MOSS, LTD., alleges the following against SARMA COLLECTIONS, INC. (“Defendant”):

INTRODUCTION

1. Plaintiff’s Complaint is based on the Fair Debt Collection Practices Act (“FDCPA”), 15 U.S.C. § 1692 *et seq.*

JURISDICTION and VENUE

2. Jurisdiction of this court arises pursuant to 15 U.S.C. § 1692k(d), which states that such actions may be brought and heard before “any appropriate United States district court without regard to the amount in controversy.”

3. Defendant conducts business in the State of Texas thereby establishing personal jurisdiction.

4. Venue is proper pursuant to 28 U.S.C. § 1391(b)(2).

PARTIES

5. Plaintiff is a natural person residing in Ballinger, Runnels County, Texas.

6. Plaintiff is a consumer as that term is defined by 15 U.S.C. 1692a(3) and Texas

Finance Code § 392.001(1) and owes or allegedly owes a debt as that term is defined by 15 U.S.C. 1692a(5) and Texas Finance Code § 392.001(2).

7. Defendant is a business entity with an office located at 1801 Broadway St., San Antonio, Texas 78215.

8. Defendant is a debt collector as that term is defined by 15 U.S.C. 1692a(6) and Texas Finance Code § 392.001(6).

9. Defendant acted through its agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives, and insurers.

FACTUAL ALLEGATIONS

10. Sometime prior to the filing of this action on a date better known to Defendant, Defendant acquired an account, Account Number 109058XXXX, to collect funds from Plaintiff which were alleged to be owed and past due (“account”).

11. Upon information and belief, the funds owed on the account arise from transactions which were for personal, family and/or household purposes as that is the only type of debt that Plaintiff owes or allegedly owes.

12. In April 2014, Defendant reported to Equifax, a credit bureau, the account status as “Charge off of Collection.” *See* copy of Plaintiff’s credit report, redacted, dated April 11, 2014, attached hereto as Exhibit A.

13. Plaintiff sent written correspondence to Defendant disputing the account, which was received by Defendant on April 18, 2014. *See* copy of correspondence dated April 16, 2014, and print out from United States Post Office website confirming delivery of written correspondence, attached hereto as Exhibit B.

14. In June 2014, after receiving Plaintiff’s written correspondence, Defendant continued

to report the account status with Equifax as “Charge off or Collection,” but failed to report Plaintiff’s dispute. *See* copy of Plaintiff’s credit report, redacted, dated June 5, 2014, attached hereto as Exhibit C.

15. Defendant’s knowingly, willfully and voluntarily made false statements and provided false information to Equifax regarding the account.

COUNT I
DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES ACT

16. Defendant violated the FDCPA based on the following:

- a. Defendant violated § 1692e(2) by communicating a false representation of the amount, character, or legal status of the alleged debt; and
- b. Defendant violated § 1692e(8) of the FDCPA by communicating false credit information, including the failure to report that the alleged debt is disputed.

WHEREFORE, Plaintiff, VIRGINIA ARTEAGA, respectfully requests judgment to be entered against Defendant, SARMA COLLECTIONS, INC., for the following:

17. Statutory damages of \$1000.00 pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. § 1692k,

18. Costs and reasonable attorneys’ fees pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. § 1692k

19. Any other relief that this Honorable Court deems appropriate.

RESPECTFULLY SUBMITTED,

Dated: October 23, 2014

By: /s/ Ryan Lee
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